

## BRAIN INJURY RIGHTS GROUP

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May 9, 2024

### VIA ECF

Hon. Paul A. Engelmayer  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *Frias et al. v. Banks et al.*, 24-cv-01767 (PAE)**

Hon. Judge Engelmayer:

Your Honor, Plaintiff, Marlene Frias, *via* the undersigned, submits this letter application to strike or seal Exhibit #1 to the complaint (ECF No. 1-1), the Findings of Fact and Decision (“FOFD”) issued by Impartial Hearing Officer Jean Marie Brescia awarding payment to Plaintiff for Student A.F.’s tuition and related services, and allow Plaintiff to refile said exhibit marked or redacted to protect the name and identity of Student A.F., a minor. Due to attorney error on the part of the undersigned, an unredacted version of the FOFD was filed instead. The undersigned apologizes to the Court for the delay in rectifying this mistake.

In addition, Plaintiff directs Your Honor’s attention to ECF Docket No. 12, noting that the additional language regarding service of Hon. Judge Margaret M. Garnett’s Individual Rules and Practices was populated and/or autogenerated based on a prior filing of service of proof in a separate case.

Plaintiff respectfully requests that Your Honor strike [ECF No. 1-1] from the docket and allow Plaintiff to refile their Declaration with Exhibit #1 marked or redacted to protect the name and identity of Student A.F., or in the alternative, seal Exhibit #1 to the complaint [ECF No. 1-1], together with such other relief as this Court should deem just and proper.

The Plaintiffs thank the Court for its consideration in this matter.

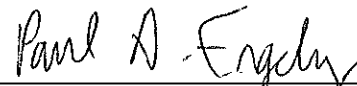
Respectfully submitted,

**Ataur Raquib, Esq.**

Ataur Raquib (5860523)

Granted. The Clerk of Court is directed to strike Exhibit 1 of Docket Entry 1.

SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge  
May 9, 2024

Cc: All Counsel of Record via ECF.